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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
LIN, KELVIN Y	
ART UNIT	**PAPER NUMBER**
2142	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/766,439	BETROS ET AL.	
	Examiner	Art Unit	
	Kelvin Lin	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Response to Arguments

1. Application's argue with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

2. In response to applicant's argument that the reference fails to show certain features of applications invention, it is noted that claims 1, 9, 20, and 21, the features upon which applicant relies (i.e. "over a single socket connection..") does not define in the specification. See *In re Van Genus*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-17, and 19-21 are rejected under 35 U.S.C 103(a) as being unpatentable over Rangarajan et al., (US Patent No. 6510439) in view of Cianfrocca et al., (US Patent 6088796).

2. Regarding claim 1, Rangarajan teaches a method of maintaining two-way asynchronous communication between a client and a web server using a single HTTP transaction (Rangarajan, col.2 ,l.3-6, col.6, l.55-67, col.7, l.10-13, in which the HTTP server interacts with clients and CGI script is configured to establish an Internet socket (two way asynchronous communication) connection with SMS) , comprising:

- communicating an HTTP request from the client to the web server, wherein the HTTP request is configured to initialize a CGI that operates within or in conjunction with the web server (Rangarajan, col.2, l.61-64,in which the HTTP server invokes (initialize) CGI); and

But, Rangarajan fails to teach the communication with the client over a single socket connection.

However, Cianfrocca teaches:

- executing operations associated with the CGI, wherein the operation are configured to perform the two-way asynchronous communication with the client over a single socket connection until terminated by the client or the CGI (Cianfrocca, col.6, l.50-57, in which the messenger system executes a operation opens a socket connection to the messenger system, and the connection is a full-duplex connection (two way async communication) and held open until the user agent disconnected; and in the messenger system the

CGI application Tmscgi can connect the messenger and invokes the CGI scripts, see col.19, l.34-38, l.55-58) .

Therefore, It would have been obvious to one of ordinary skill in art at the time the invention was made to implement Cianfrocca's messenger system via messenger system protocol (TMSP) with a full-duplex protocol derived from HTTP (col.14, l.44-60) over a socket connection and invokes the CGI scripts.

The motivation would be for combining Rangarajan with Cianfrocca, because Cianfrocca provides an improved asynchronous Message oriented middleware product that enables inter-process communication which allows for real-time data feeds to web browsers using the same port as the HTTP connection (Cianfrocca, col.2, l.20-25).

3. Regarding claim 2, Cianfrocca further discloses the method of claim 1, wherein executing operations includes receiving and processing data from the client. (Cianfrocca, col. 18, l. 28-31).

4. Regarding claim 3, Cianfrocca further discloses the method of claim 2, wherein the data is compliant with the HTTP protocol or a protocol other than HTTP. (Cianfrocca, col. 19, l.27-33).

5. Regarding claim 4, Cianfrocca further discloses the method of claim 1, wherein executing operations includes creating and communicating data from the CGI to the client. (Cianfrocca, col.19, l.55-60, the Tmscgi application connect to browser corresponds to client).

6. Regarding claim 5, Cianfrocca further discloses the method of claim 4, wherein the data is compliant with HTTP Protocol or a protocol other than HTTP from the CGI to the client (Cianfrocca, col.19, l.55-60, in which the HTML is compliant to HTTP).

7. Regarding claim 6, Cianfrocca further discloses the method of claim 1, wherein the client includes client-side logic configure to perform the two-way asynchronous communication with the CGI. (Cianfrocca, col.14, l.52-58, the application with the user agent library, which is the tmscgi a CGI of tmscgi feature, see col.19, l.34-40, can run the full-duplex protocol, col.14, l.56-57).

8. Regarding claim 7, Cianfrocca further discloses the method of claim 6, wherein the client-side logic is pre-installed on the client (Cianfrocca, col. 19, l.55-57, the messenger system using TMSP invokes the CGI directly, corresponds to the preinstall on the application side (client)).

9. Regarding claim 8, Cianfrocca further discloses the method of claim 6, wherein the client-side logic is dynamically delivered to the client from the web server (Cianfrocca, col. 20, 33-40, using the messenger system the Web server can establish a socket with the application (client)).

10. Regarding claims 9-16, for claiming system have similar limitations as claims 1 and 8 for claiming method. Therefore, claims 9-16 are rejected for the same reasons set forth in the rejection of claims 1 and 8.

11. Regarding claim 17, Cianfrocca further discloses the system of claim 16, Wherein the client-side logic is delivered in the form of a Java applet

(Cianfrocca, col. 1, l.25, col.6, l.1-4, in which the Java capable browser corresponds to Java applet).

12. Regarding claim 19, Cianfrocca further discloses the system of claim 9, Wherein the CGI is a servlet (Cianfrocca, col. 16, l.53-55, the application server with CGI can accept query from Web browser, because Web browser is Java applet, therefore the CGI is a Java servlet).

13. Regarding claim 20, for claiming the method for maintaining two-way asynchronous has similar limitations as claims 1-8. Therefore, Claim 20 is rejected for the same reasons set forth in the rejection of claims 1-8.

14. Regarding claim 21, for claiming the system for maintaining two-way asynchronous has similar limitations as claims 1-8. Therefore, Claim 21 is rejected for the same reasons set forth in the rejection of claims 1-8.

15. Claim 18 is rejected under 35 U.S.C 103(a) as being unpatentable over Rangarajan in view of Cianfrocca, and further in view of Reisman (US Patent 6611862).

16. Regarding claims 18, Rangarajan, and Cianfrocca teach how to update the host screen fail to teach the delivery of movie form.
However, Reisman teaches the client-side multimedia applications and can be delivered in the form of movie (Reisman, col 31, l. 32-44). With the client/server environment using HTML, which is the same language implemented at Rangarajan, and Cianfrocca's structure. Also, the application that have implemented on client side using applet and servlet on the

server side for the application are the same as on Cianfrocca's (Cianfrocca, col.6, l.1-4,).

Therefore, It would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Reisman multimedia application with Rangarajan, and Cianfrocca's host page screen request for multimedia application at client side.

The motivation would be for combining Reisman with Rangarajan, and Cianfrocca to have the information with multimedia application or the like at client side (Cianfrocca, col.16, l.26-27) will extend the feature for increasing the user availability.

Conclusion

Application's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL.** See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/18/05
KYL

Andrew Caldwell

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER